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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/719,008	11/21/2003	Keiji Yada	B-5309 621525-5

CONFIRMATION NO. 9082

## FORMALITIES LETTER



\*OC000000013538276\*

Mavis S. Gallenson, Esq.  
 c/o LADAS & PARRY  
 Suite 2100  
 5670 Wilshire Boulevard  
 Los Angeles, CA 90036-5679

Date Mailed: 08/13/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/27/2004 FFANAI2 00000067 10719008

FILED UNDER 37 CFR 1.53(b)

01 FC:2001	385.00 OP
02 FC:2051	65.00 OP
03 FC:1053	130.00 OP
04 FC:2201	43.00 OP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1 & 3.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1030** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the citizenship of each inventor.

Replies should be mailed to:    Mail Stop Missing Parts  
   Commissioner for Patents  
   P.O. Box 1450  
   Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Keiji YADA, et al. Group Art Unit: unknown  
Serial No.: 10/719,008 Examiner: unknown  
Filed: 21 November 2003 Our Ref.: B-5309 621525-5  
For: "X-RAY MICROSCOPIC INSPECTION APPARATUS" Date of this paper:  
August 23, 2004



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P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMPLETION OF FILING REQUIREMENTS**

Responsive to office letter dated 08/13/2004 (copy attached).

**DECLARATION OR OATH**

- ☒ Please find enclosed the original Declaration/Power signed by the inventors.

**TRANSLATION**

- ☒ Please find enclosed a verified English translation of the application and a statement that the translation is accurate.

**REPLACEMENT DRAWINGS**

- ☒ Please find enclosed a substitute set of formal drawings (5 sheets of Figs. 1-3, 4A-4B, 5-6, and 7A-7B) in compliance with 37 CFR 1.84 with a separate cover sheet

**AMENDMENT OF CLAIMS**

- ☐ Please cancel claims \_\_\_\_\_ inclusive  
☐ Please find enclosed an amendment deleting multiple dependencies

NOTE: The filing fees, fees for and surcharge fees listed below are reduced by 50% where proof of a small entity status is established on or before the date the fee is paid. If the full fee is paid but a verified statement is filed within two months of the date of payment of the first fee then the excess fee paid will be refunded on request. Notice of January 20, 1983. 1027 TMOG 114.

**FEES**

- |   |                 |
|---|-----------------|
| <input checked="" type="checkbox"/> Filing fee (37 CFR 1.16(a) - 770.00)  | <u>\$385.00</u> |
| (small entity - 385.00)   |                 |
| <input checked="" type="checkbox"/> Fees for claims                       |                 |
| <input checked="" type="checkbox"/> 1 - Independent claims in excess of 3 |                 |
| (37 CFR 1.16(b) - 86.00)  |                 |
| (small entity - 43.00)  | <u>\$43.00</u>  |
| <input type="checkbox"/> - Claim in excess of 20                          |                 |
| (37 CFR 1.16(c) - 18.00)  |                 |
| (small entity - 9.00)   |                 |

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Date: August 23, 2004

Avelyn Malonzo  
(Typed or printed name of person mailing paper)

Avelyn Malonzo  
(Signature of person mailing paper)



Multiple dependent claim(s)  
(37 CFR 1.16(d) - 270.00)  
(small entity - 135.00)

☒ Surcharge fees

☒ Late payment of filing fee  
(37 CFR 1.16(e) - 130.00)  
(small entity - 65.00)

**AND**

☒ Late filing of declaration or oath  
(37 CFR 1.16(e) - 130.00) \$ 65.00  
(small entity - 65.00)

☒ Fee for filing English translation of  
application belatedly (37 CFR 1.17 (i)) \$130.00

☐ Petition fee for filing by person not  
the inventor (37 CFR 1.17(h) \$120.00)

☐ Recording assignment  
(37 CFR 1.21(h) (i) 40.00)

☐ Attached is an assignment to

Total fees: \$623.00

**SMALL ENTITY STATUS**

☒ Verified statements that this filing is by a small entity are

☒ Attached  
W/cover sheet

☐ Already filed on

**PAYMENT OF FEES**

☒ Enclosed is a check in the amount of \$623.00

☐ Charge Account No. 12-0415 in the amount of  
A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose  
the fees are paid. 37 CFR 1.22(b).

**AUTHORIZATION TO CHARGE ADDITIONAL FEES**

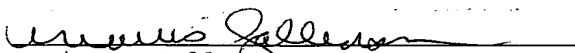
☒ The Commissioner is hereby authorized to charge the following  
additional fees which may be required or credit any overpayment to  
Account No. 12-0415.

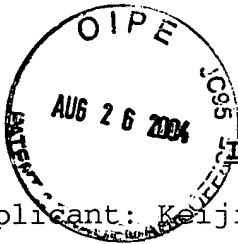
☒ 37 CFR 1.16 (filing fees and presentation of extra claims)

☒ 37 CFR 1.17 (application processing fees)

☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of  
Allowance, pursuant to 37 CFR 1.311(b)).

NOTE: 37 CFR 1.28(b) requires "Notification of any change in status resulting in  
loss of entitlement to small entity status must be filed in the  
application... prior to paying... issue fee."

  
Mavis S. Gallenson  
Attorney for the Applicant  
Registration No.: 32,464  
c/o LADAS & PARRY  
5670 Wilshire Boulevard, Suite 2100  
Los Angeles, California 90036-5679  
Telephone No.: (323) 934-2300  
Facsimile No.: (323) 934-0202



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

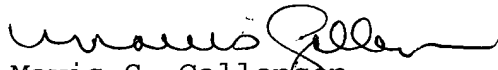
Applicant: Keiji YADA, et al. ) Re: Substitute Drawings  
 )  
 ) Group: Not yet assigned  
 )  
Serial No.: 10/719,008 )  
 ) Examiner: Not yet assigned  
 )  
Filed: November 21, 2003 )  
 ) Our Ref: B-5309 621525-5  
 )  
For: "X-RAY MICROSCOPIC INSPECTION )  
APPARATUS" )  
 ) Date: August 23, 2004

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Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application (Filing Date Granted) dated August 13, 2004, a substitute set of formal drawings (5 sheets of Figs. 1-3, 4A-4B, 5-6, and 7A-7B) in compliance with 37 CFR 1.84 is enclosed herewith.

Respectfully submitted,

  
Mavis S. Gallenson  
Attorney for Applicant  
Reg. No. 32,464  
LADAS & PARRY  
5670 Wilshire Boulevard  
Suite 2100  
Los Angeles, CA 90036  
Telephone: (323) 934-2300  
Telefax: (323) 934-0202

Enclosures: substitute set of formal drawings (5 sheets of Figs. 1-3, 4A-4B, 5-6, and 7A-7B)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Reiji YADA, et al. ) RE: Verified Statement Claiming  
 ) Small Entity Status  
 )  
 ) Group: not yet assigned  
 )  
Serial No.: 10/719,008 ) Examiner: not yet assigned  
 )  
Filed: 21 November 2003 ) Our Ref: B-5309 621525-5  
 )  
For: "X-RAY MICROSCOPIC INSPECTION )  
 APPARATUS" ) Date: August 23, 2004

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P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed for filing in the subject application is the executed Verified Statement Claiming Small Entity Status (Small Business Concern).

Respectfully submitted,

Mavis S. Gallenson  
Attorney for Applicant  
Reg. No. 32,464

c/o LADAS & PARRY  
5670 Wilshire Boulevard, Suite 2100  
Los Angeles, California 90036-5679

Telephone No.: (323) 934-2300  
Facsimile No.: (323) 934-0202

Enclosure: Verified Statement Claiming Small Entity Status (2 pages)